

From: Marshall L. Miller <mmiller@kaplanhecker.com>
Sent: Friday, April 23, 2021 4:13 PM
To: marc.weinstein@hugheshubbard.com; neil.oxford@hugheshubbard.com
Cc: Christopher R. Le Coney <cleconey@kaplanhecker.com>
Subject: Follow-up call

Marc, Neil:

Further to my email below, having been unable to resolve whether SØIK has already received a copy of the Settlement Agreement from SKAT and given the time-sensitivity, we have provided a copy of the Agreement to SØIK as permitted under Section 8e(ii) of the Agreement.

We would still appreciate answers to questions 1 and 2 below.

Many thanks and have a good weekend,

Marshall

Marshall L. Miller | Kaplan Hecker & Fink LLP

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mmiller@kaplanhecker.com

From: Marshall L. Miller
Sent: Saturday, April 17, 2021 11:30 AM
To: Weinstein, Marc A. <marc.weinstein@hugheshubbard.com>; Christopher R. Le Coney <cleconey@kaplanhecker.com>; Oxford, Neil <neil.oxford@hugheshubbard.com>
Subject: RE: Follow-up call

Marc, Neil:

Thanks for the call yesterday. In connection with our discussion of the confidentiality/disclosure provisions of the Settlement Agreement, we wanted to follow up with you on a few items:

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CONFIDENTIAL



1. First, can you send us a copy of the written communication that SKAT sent to SØIK in conformity with its obligations under Section 8f of the Settlement Agreement? That would be helpful for us to understand the record on this issue.
2. Relatedly, based on our conversation, it's unclear to us whether a request was ever made by SØIK to SKAT for a copy of the full agreement, as contemplated in Section 8f. Can you confirm whether such a request was made by SØIK, and if so, by whom, so that we know where to direct our conversations within SØIK?
3. Finally, as SØIK is a "law enforcement authority investigating Reclaim Applications or related matters," Section 8e(ii) of the Settlement Agreement permits the Covered Parties to disclose the Settlement Agreement to SØIK, "even if such disclosure is not compelled by operation of law or regulation or by a final non-appealable order." If we can't resolve whether SØIK has already been provided the Settlement Agreement, we wanted to let you know that we are planning to provide the Agreement to SØIK pursuant to that provision.

Let us know if you would like to discuss any of the above.

Many thanks,

Marshall

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From: Weinstein, Marc A. <marc.weinstein@hugheshubbard.com>
Sent: Wednesday, April 14, 2021 10:57 AM
To: Christopher R. Le Coney <cleconey@kaplanhecker.com>; Oxford, Neil <neil.oxford@hugheshubbard.com>
Cc: Marshall L. Miller <mmiller@kaplanhecker.com>
Subject: RE: Follow-up call

EXTERNAL SENDER

Chris, either time on Friday works for us. Can you pick one and send a calendar invite?

Thanks,

Marc

Marc A. Weinstein | Partner

Chair, White Collar Defense

Hughes Hubbard & Reed LLP

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From: Christopher R. Le Coney <cleconey@kaplanhecker.com>
Sent: Tuesday, April 13, 2021 2:28 PM
To: Weinstein, Marc A. <marc.weinstein@hugheshubbard.com>; Oxford, Neil <neil.oxford@hugheshubbard.com>
Cc: Marshall L. Miller <mmiller@kaplanhecker.com>
Subject: RE: Follow-up call

CAUTION: This email was sent by someone outside of the Firm.

Marc, we have a conflict with that time on Thursday. We could do 1 or 3 PM on Friday if either of those works. If not, we could also do 2 PM on Monday.

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From: Weinstein, Marc A. <marc.weinstein@hugheshubbard.com>
Sent: Monday, April 12, 2021 11:34 AM
To: Christopher R. Le Coney <cleconey@kaplanhecker.com>; Oxford, Neil <neil.oxford@hugheshubbard.com>
Cc: Marshall L. Miller <mmiller@kaplanhecker.com>

Subject: RE: Follow-up call

EXTERNAL SENDER

Chris, no problem. How about Thursday at 4:30pm?

Marc A. Weinstein | Partner

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From: Christopher R. Le Coney <cleconey@kaplanhecker.com>

Sent: Monday, April 12, 2021 7:35 AM

To: Weinstein, Marc A. <marc.weinstein@hugheshubbard.com>; Oxford, Neil
<neil.oxford@hugheshubbard.com>

Cc: Marshall L. Miller <mmiller@kaplanhecker.com>

Subject: RE: Follow-up call

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Marc, Neil:

With apologies, Marshall and I've had a time-sensitive development arise on something else and we need to postpone our call this afternoon. Let us know if later this week would work for your schedules and we can find a new time.

Thanks,

Chris

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From: Weinstein, Marc A. <marc.weinstein@hugheshubbard.com>
Sent: Sunday, April 11, 2021 12:54 PM
To: Marshall L. Miller <mmiller@kaplanhecker.com>; Oxford, Neil <neil.oxford@hugheshubbard.com>
Cc: Christopher R. Le Coney <cleconey@kaplanhecker.com>
Subject: RE: Follow-up call

EXTERNAL SENDER

Marshall, would 3pm tomorrow work for a call?

Marc A. Weinstein | Partner

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From: Marshall L. Miller <mmiller@kaplanhecker.com>
Sent: Wednesday, April 7, 2021 8:30 PM
To: Weinstein, Marc A. <marc.weinstein@hugheshubbard.com>; Oxford, Neil <neil.oxford@hugheshubbard.com>
Cc: Christopher R. Le Coney <cleconey@kaplanhecker.com>
Subject: Follow-up call

CAUTION: This email was sent by someone outside of the Firm.

Marc, Neil:

We are writing to see if you are free for a follow-up discussion with us about the questions you asked us to look into. We are generally open on Friday afternoon at 3pm or Monday after 2pm.

On the True-Up, Ralph and Lou from Wachtell suggested that it would make the most sense to handle all of the various issues in one comprehensive conversation. To that end, I believe we/they are still expecting to receive some additional detail from you on:

allocation of custodial and brokers fees between Denmark and Belgium for the Argre and Maple Point-era plans;

detail on the FX rate calculations for the Maple Point era (as well as confirmation that the same methodology was used in both the Argre and the Maple Point eras); and

any additional detail you can provide about how the Goal fees were calculated.

The additional information you've provided on the other issues thus far has been very helpful for Lou. Happy to discuss further when we connect.

Thanks,

Marshall

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